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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/747,332	12/22/2000	Kenneth L. Davis	31008.P034	1296

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EXAMINER

PILLAI, NAMITHA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/16/2003

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/747,332

Applicant(s)

DAVIS, KENNETH L.

Examiner

Namitha Pillai

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 December 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-3, 5-13 and 15-22 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by U. S. Patent No. 5,526,478 (Russell, Jr. et al.).

Referring to claims 1 and 11, Russell discloses a method for detecting a pointer in proximity of a geometry piece of a mechanical design having multimedia associated with the geometry piece (column 2, lines 37-39 and lines 44-45). Russell also discloses automatically generating an icon, in this case represented as the markers, with these icons or markers being associated with the geometry piece for accessing the associated multimedia (column 2, lines 42-45 and reference number 42, Figure 4A). See column 8, lines 45-50.

Referring to claims 2 and 12, Russell discloses generating the icon comprising automatically generating a leader line entity from the geometry piece (reference number 42, Figure 4A).

Referring to claims 3 and 13, Russell discloses automatically generating the icon at an end of the leader line entity opposite the geometry piece, as seen by the relation of the reference numbers 41 and 42, to each other in Figure 4A.

Referring to claims 5 and 15, Russell discloses the marker including a means for linking to an application to execute the multimedia (column 8, lines 14-16).

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Referring to claims 6, 16 and 22, Russell discloses determining if a request to associate multimedia with the geometry piece is received, as shown by step 154 on Figure 9, wherein this step determines if an association should be made between a multimedia file and a geometry piece (column 11, lines 28-29). Russell then goes to disclose facilitation association between the multimedia and the geometry piece upon determining the request to associate the multimedia with the geometry piece is received (column 11, lines 31-33). Russell discloses then selecting a type of multimedia to be associated with the geometry piece and wherein the markers or icons generated would then be associated or linked with the geometry piece for accessing the associated multimedia (column 11, lines 36-42).

Referring to claims 7 and 17, Russell discloses that receiving the request involves receiving a cursor selection on the geometry piece (column 11, lines 20-22).

Referring to claims 8 and 18, Russell discloses displaying a menu for selection of a type of multimedia to be associated with the geometry piece as shown by reference number 53-55 in Figure 4B, wherein the "Attach" option under each of these types would associate the media type with the selected geometry piece.

Referring to claims 9 and 19, Russell discloses that the types of multimedia comprises receiving the selection of at least one of an audio note, a textual note and an animation note, as shown by reference number 53-55 in Figure 4B and the "Label 1" shown in Figure 5.

Referring to claims 10 and 20, Russell discloses the leader line entity, represented as reference number 41 of Figure 4A, being input by the user (column 11, lines 19-22).

Referring to claim 21, Russell discloses a method for detecting a pointer in proximity of a geometry piece of a mechanical design having multimedia associated with the geometry piece

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(column 2, lines 37-39 and lines 44-45). Russell also discloses automatically generating an icon, in this case represented as the markers, with these icons or markers being associated with the geometry piece for accessing the associated multimedia (column 2, lines 42-45 and reference number 42, Figure 4A). Russell discloses processor coupled to the machine accessible medium to execute the instructions for carrying out the invention, as disclosed (column 4, lines 25-29).

See column 8, lines 45-50.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Russell.

Referring to claims 4 and 14, Russell does not disclose that the icon would be generated based on the type of multimedia associated with the geometry piece. Russell does disclose that the shapes of these markers or icons could take any form. It would have been obvious for one skilled in the art, at the time of the invention to generate icons corresponding to the type of multimedia associated with the geometry piece. Russell clearly discloses that the shapes that the icons are represented by can take any form, hence suggesting a shape that is more indicative of the type of media being represented. It would also be more convenient and cause less confusion for the users to determine the type of media that is associated with the geometry by merely looking at the marker or icon at the end of the line. This way the user without accessing the file can determine the type of media being represented, thereby providing motivation for such an

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icon representation to be used. One skilled in the art would have been motivated at the time of the invention to generate icons corresponding to the type of multimedia associated with the geometry piece.

Conclusion

3. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach the method for annotating multimedia files to geometry parts.

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Namitha Pillai whose telephone number is (703) 305-7691. The examiner can normally be reached on 8:30 AM - 5:30 PM.

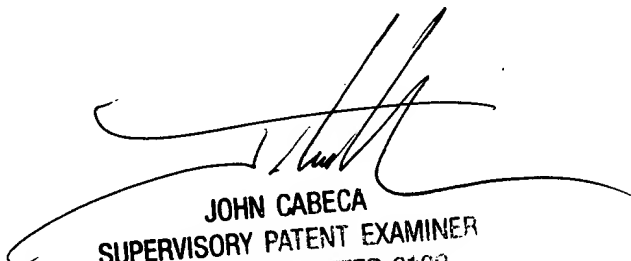
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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Namitha Pillai
Assistant Examiner
Art Unit 2173
July 10, 2003



JOHN CABECA
SUPERVISORY PATENT EXAMINER
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